

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
TENNESSEE AT KNOXVILLE, TENNESSEE**

**PAMELA C. PHIBBS,**

Plaintiff

vs.

**REVENUE RECOVERY  
CORPORATION &  
BUFFALOE & VALLEJO, PLC,**

No. 3:16-cv-00156  
(Phillips/Guyton)

Defendants

**MOTION FOR LEAVE TO FILE UNDER SEAL  
CONFIDENTIAL DOCUMENTS IN SUPPORT OF DEFENDANT'S  
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Local Rule 26.2, Defendant Revenue Recovery Corporation (“RRC”) moves the Court for an Order allowing it to file under seal certain documents referenced in its Motion for Summary Judgment [Doc. 34] and accompanying Memorandum [Doc. 35]. As grounds for this motion, RRC shows as follows:

1. RRC has on this date filed a Motion for Summary Judgment [Doc. 34] and Memorandum in Support of Motion for Summary Judgment [Doc. 35]. In support of that motion, RRC has submitted into the Court Record various documents including deposition excerpts, an affidavit, discovery responses and other documentary materials produced during the course of discovery in this matter.

2. Several documents RRC intends for the Court to consider in support of its Motion for Summary Judgment are internal policies and procedures RRC maintains as confidential and which have been marked as “confidential” pursuant to the Court’s Protective Order Designating

Documents as Confidential [Doc. 32]. These are the same documents addressed by the Court in its Memorandum and Order [Doc. 29] entered with respect to RRC's Motion for Protective Order [Doc. 25].

3. These confidential business sensitive documents which total twenty-one (21) pages, contain RRC's internal policies and procedures for handling accounts connected to a bankruptcy filing, handling direct and indirect consumer disputes, credit reporting and furnishing credit information, and legal action on placed accounts. These documents contain valuable business related materials and are commercially sensitive, in that their disclosure would have potential for causing economic harm to RRC.

4. RRC further requests that the Court grant RRC leave to file the entire documents made the subject of this motion under seal, without obligation to file redacted versions in the Court Record, insofar as RRC maintains the entirety of the documents comprise confidential and sensitive business information.

/s/ John M. Lawhorn

John M. Lawhorn, Esq. (BPR No. 14388)

**FRANTZ, McCONNELL & SEYMOUR, LLP**

P.O. Box 39

Knoxville, TN 37901

(865) 546-9321

/s/David B. Shaver

Jeffrey C. Turner, Esq. (OH #0063154)

David B. Shaver, Esq. (OH #0085101)

SURDYK, DOWD & TURNER CO., L.P.A.

8163 Old Yankee Street, Suite C

Dayton, OH 45458

(937) 222-2333 | (937) 222-1970 (fax)

[jturner@sdtlawyers.com](mailto:jturner@sdtlawyers.com)

[dshaver@sdtlawyers.com](mailto:dshaver@sdtlawyers.com)

Counsel for Defendant Revenue Recovery  
Corporation

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and exact copy of the foregoing document has been served this 24<sup>th</sup> day of March, 2017, upon all counsel or parties as listed below at interest in this cause by delivering a true and exact copy to the offices of said counsel or parties or by placing a copy in the United States mail addressed to said counsel or parties at his/her office, with sufficient postage to carry it to its destination, or by special overnight courier; if the foregoing document has been electronically filed with the Court, this service has been made only upon counsel or parties to whom the Court does not furnish electronic copies of filings.

Brent S. Snyder, Esq.  
Banks & Jones  
2125 Middlebrook Pike  
Knoxville, TN 37921

Alan C. Lee, Esq.  
P. O. Box 1357  
Talbot, TN 37877-1357

/s/ John M. Lawhorn

John M. Lawhorn

**FRANTZ, McCONNELL & SEYMOUR, LLP**

S:\WDOX\CLIENTS\7209\0000001\PLEADING\01539888.DOC